

MEETING NO. 12
JUNE 19, 2017
REGULAR NO. 12
7:00 P.M.

REGULAR TOWN BOARD MEETING
TOWN OF ALDEN

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road on Monday, June 19, 2017 at 7:00 P.M. Deputy Supervisor Rogers called the Meeting to Order and led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Colleen Rogers, Deputy Supervisor
Colleen Pautler, Councilwoman
Ralph Witt, Councilman

ABSENT: Richard Savage, Supervisor

RECORDING SECRETARY: Debra A. Crist, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town
Attorney

Gary Wagner, Highway Supt.
Michael Metzger, Town Engineer
Len Weglarski, DCO
Residents

AT 7:00 P.M. DEPUTY SUPERVISOR ROGERS ASKED FOR A MOTION TO ADJOURN FROM THE REGULAR MEETING AND ENTER INTO THE PUBLIC HEARING RE THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE TOWN OF ALDEN SEWER DISTRICT NO. 2. COUNCILMAN WITT MOVED AND COUNCILWOMAN PAUTLER SECONDED THE MOTION. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JUNE 19, 2017 AND CARRIED.

Ayes 2 Pautler & Witt
Nays 0

THE TOWN CLERK READ THE NOTICE OF PUBLIC HEARING THAT WAS PRINTED IN THE ALDEN ADVERTISER.

DEPUTY SUPERVISOR ROGERS OPENED THE FLOOR FOR PUBLIC COMMENT.

THERE WAS NO PUBLIC COMMENT.

AT 7:03 P.M. AFTER ALL THOSE WISHING TO BE HEARD WERE HEARD, DEPUTY SUPERVISOR ROGERS ASKED FOR A MOTION TO ADJOURN FROM THE PUBLIC HEARING AND ENTER BACK INTO THE REGULAR MEETING. COUNCILWOMAN PAUTLER MOVED AND COUNCILMAN WITT SECONDED THE MOTION. THE FOREGOING MOTION WAS PUT TO A ROLL CALL VOTE ON JUNE 19, 2017 AND CARRIED.

Ayes 2 Pautler & Witt
Nays 0

Councilman Witt Moved and Councilwoman Pautler seconded the Motion to approve the Minutes and Synopsis of June 5, 2017. The Motion was put to a Roll Call Vote on June 19, 2017 and

CARRIED.

Ayes 2 Pautler & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER AND SECONDED BY COUNCILMAN WITT TO WIT; VOUCHERS 570-642

<u>ACCOUNT</u>	<u>ABST. #1</u>	<u>ABST. #2</u>	<u>TOTAL</u>
GENERAL FUND "A"	\$9,205.57		\$9,205.57
HGHWY FUND "DA/DB"	18,229.53		18,229.53
PART-TOWN FUND "B"	2,328.23		2,328.23
WD#2 FUND "WB"			
WD#3 FUND "WC"			
WD#4 FUND "WD"			
SP FIRE PROT. "SF"	96.00		96.00
SD#2 FUND "SA"	3,345.52		3,345.52
TRUST/AGCY FUND "T"	1,587.86		1,587.86
SP REFUSE FUND "SR"	36,103.13		36,103.13
STREET LIGHTING FUND "SL"	6,775.38		6,775.38
PERIWINKLE LTG. "SL1"	43.80		43.80
GRANTS	995.00		995.00
TOTALS	\$78,710.02		\$78,710.02

UPON ROLL CALL VOTE ON JUNE 19, 2017 THE FOREGOING RESOLUTION WAS **ADOPTED.**

Ayes 2 Pautler & Witt

Nays 0

BUSINESS FROM THE FLOOR

Meagan Yoerg/Townline Rd. came to the Board as one of the Directors of the Alden Soccer Tournament that is held every year. This is the third year and was held on Saturday, Memorial Day weekend; she wanted to give the Board an update and thank you. This year there were 47 teams and they played 96 games. They had secured a sponsorship from Dick's enabling them to buy flags and are trying to build up their own playing equipment. They were able to give out two (2) \$500.00 scholarships at Senior Night awards ceremony to two (2) graduating seniors. She would like to thank:

Andy Sojka and his crew, Jennifer Strong and the Alden Fire Dept. They will be back in the fall to make plans for next year. Deputy Supervisor Rogers asked that arrangements for parking be taken into consideration next year as there were a couple of complaints about cars driving on the grass.

Councilman Witt asked how far away the teams come from. Most teams are from the area with one coming from Pennsylvania, there were approximately 350 players.

COMMUNICATIONS

Deputy Supervisor Rogers:

Supervisor Savage is missing his first Town Board meeting tonight, he is still recuperating from pneumonia and we wish him a very speedy recovery.

The check for the mortgage tax was received for \$69,183.55. A hefty increase from last year's first quarter of almost \$25,000.00.

A letter was received from the Erie County Dept. of Public Works regarding the speed study on West Main Street. Their answer was: considering the

data they obtained for this area they have determined that they will not reduce the existing 40 mph speed limit at this time.

NEW BUSINESS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application by Nick Fudoli for the subdivision of two (2) lots. The entire parcel currently consists of approximately 100+/- 98 acres at 12063 Westwood Road in the Town of Alden, further identified as SBL #107.00-8-1.1. The first proposed lot ("Parcel A") would be approximately 1.988 acres and the second proposed lot ("Parcel B") would be the remaining approximately 98 +/- acre parcel containing the existing house (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; the agency with the broadest governmental powers for investigating the impact of the Proposed Action; has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority;

WHEREAS, the Town Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Alden on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application, by Debra Arnold (Sunset Ranch Kennels) for to renew a

Kennel Special Use Permit for the operation of a dog kennel at her residence located at 11268 Kieffer Road in the Town of Alden; and

WHEREAS, The Town Clerk mailed notice of the renewal to all neighboring parcel owners. The Town Dog Control Officer and the Town Code Enforcement Officer have inspected the property.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. That the Kennel Special Use Permit is hereby renewed for a period of one (1) year; and
2. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting on June 19, 2017 AND

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

1THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, New York State General Municipal Law allows a municipality to approve the volunteer members of a volunteer fire department operating in said municipality;

WHEREAS, the Millgrove Volunteer Fire Department provides fire protection services within the Town of Alden pursuant to a contract with the Town of Alden;

WHEREAS, approval of members assists an injured volunteer firefighter in receiving worker's compensation benefits pursuant to New York State Volunteer Firefighter Benefit Law;

WHEREAS, Millgrove Volunteer Fire Department has approved Megan M. Offhaus and James R. Kless for Membership; and

WHEREAS, Millgrove Volunteer Fire Department has submitted to the Alden Town Clerk's Office notification of these new members.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Alden Town Board hereby approves Megan M. Offhaus and James R. Kless for membership in the Millgrove Volunteer Fire Department, and
2. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017 and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Highway Superintendent has advised the Town Board that concrete receivers are needed for Virginia Drive and Boncliff Drive (one each) within the Town and that the concrete receivers will be purchased pursuant to Erie County Bid (Contract 217080-004);

WHEREAS, the receivers will be installed by the Town of Alden Highway Department;

WHEREAS, purchases made from the Erie County Bid List do not require that multiple quotes be obtained, so that the Town's Procurement Policy & Procedure Guidelines and General Municipal Law have been followed; and

WHEREAS, the Town Board after full and careful review and consideration finds the request to purchase the two receivers in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the purchase of two concrete receivers from **Kistner Concrete** for a total cost of \$1,032.00;
2. That the Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Highway Superintendent has advised the Town Board that the Highway Department would like to buy its employees fire retardant coveralls. The estimated cost of which is greater than \$500.00 but less than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least two (2) vendors;

WHEREAS, the Highway Department obtained quotes from two (2) vendors, as follows:

The highest bidder is Doritex at \$583.94 for four (4) coveralls and
The lowest bidder is Unifirst at \$576.00 for four (4) coveralls;

WHEREAS, Unifirst is the lowest responsible bidder; and

WHEREAS, the Town Board after full and careful review and consideration finds the request to purchase the coveralls as being consistent with the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby authorizes the Highway Superintendent to purchase four (4) fire retardant coveralls from Unifirst for a total cost of \$576.00; and
2. The Town Board hereby authorizes and directs the Town Supervisor to sign a Memo of Understanding with the Teamsters regarding this one time purchase.
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

At a meeting of the Town Board of the Town of Alden, in the County of Erie, New York, held at the Town Hall, 3311 Wende Road, Alden, New York, on the 19th day of June, 2017.

PRESENT:

Colleen Pautler, Councilwoman

Ralph P. Witt, Councilman

In the Matter

of the

Increase and Improvement of Facilities of Sewer District No. 2, in the Town of Alden, in the County of Erie, New York, pursuant to Section 202-b of the Town Law

Offered by: COUNCILWOMAN PAUTLER

Seconded by: COUNCILMAN WITT

RESOLUTION AND
ORDER AFTER PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Alden (herein called the "Town"), in the County of Erie, New York, on behalf of the Town of Alden Sewer District No. 2 (herein referred to as the "District"), has caused Nussbaumer & Clarke, Inc., engineers duly licensed by the State of New York (the "Engineer"), to prepare a map, plan and report for the increase and improvement of facilities of the District, consisting of improvements at the Wastewater Treatment Plant, including installation of a community septic

tank, chopper pump station and sand filter, and other related or ancillary work required in connection therewith, as described in the report prepared for the Town by the Engineer, dated August 2016 and revised May 2017; and

WHEREAS, the Engineer has estimated that the cost of such increase and improvement of facilities shall be \$1,000,000 and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on June 19, 2017 at 7:00 P.M. (Prevailing Time) at the Town Hall, 3311 Wende Road, Alden, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 19th day of June, 2017 at 7:00 P.M. (Prevailing Time) at the Town Hall, 3311 Wende Road, Alden, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, constituting Article 8 of the Environmental Conservation Law

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated total cost of \$1,000,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications

and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$1,000,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order after Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: June 19, 2017

(SEAL)

TOWN BOARD OF THE TOWN OF ALDEN

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Richard Savage	ABSENT
Councilwoman Colleen Pautler	voting Aye
Councilman Ralph P. Witt	voting Aye

The Resolution and Order were declared adopted.

BOND RESOLUTION OF THE TOWN OF ALDEN, NEW YORK, ADOPTED JUNE 19, 2017, APPROPRIATING \$1,000,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE TOWN OF ALDEN SEWER DISTRICT NO. 2, AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL AMOUNT OF \$1,000,000 TO FINANCE SAID APPROPRIATION

Offered by: COUNCILMAN WITT

Seconded By: COUNCILWOMAN PAUTLER

Recital

WHEREAS, following preparation of a map, plan and report and an estimate of cost for the increase and improvement of facilities of the Town of Alden Sewer District No. 2 (herein referred to as the "District"), in the Town of Alden (herein called the "Town"), in the County of Erie, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$1,000,000 for the increase and improvement of facilities of the District, consisting of improvements at the Wastewater Treatment Plant, including installation of a community septic tank, chopper pump station and sand filter, and other related or ancillary work required in connection therewith, as described in the report prepared for the Town by the Engineer, dated August 2016 and revised May 2017. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$1,000,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "*Alden Advertiser*," a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Richard Savage	Absent
Councilwoman Colleen Pautler	voting Aye
Councilman Ralph P. Witt	voting Aye

The Resolution was declared adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECONDED BY COUNCILMAN WITT TO WIT;

**RESOLUTION ADOPTING
DETERMINATION OF NON- SIGNIFICANCE**

WHEREAS, The Alden Town Board is in the planning phases of the replacing and funding the Alden Sewer District No. 2 Wastewater Treatment Plant with a sand filter system to serve the existing Sewer District; and

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act-SEQRA) of the Environmental Conservation Law, the Town Board has reviewed the construction proposed for the Sewer District; and

WHEREAS, the Town Board has determined it is duly qualified to act as lead agency with respect to compliance with SEQRA which requires environmental review of certain actions undertaken by local governments; and

WHEREAS, pursuant to Resolution adopted on May 15, 2017, the Town Board determined that the propose action was an Unlisted Action under SEQRA and that it was the agency with the broadest governmental powers for investigating the impact of the proposed action and the greatest capacity for providing the most thorough environmental assessment of the proposed action and the most local agent with permitting authority, and pursuant to such resolution the Town of Alden has undertaken to conduct a coordinated review; and

WHEREAS, all the involved agencies required to be notified under SEQRA have been notified and has received responses from all of agencies notified and no agency has contested the determination of the Town of Alden to act as lead agency; and

WHEREAS, the Town of Alden has determined that the proposed project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public, and is consistent with social and economic considerations

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Alden, after considering the action proposed herein, in reviewing the Environmental Assessment Form, reviewing the criteria contained in Section 617.11 of the Rules and Regulations of the SEQRA Regulations and thoroughly analyzing the project with respect to potential environmental concerns, determines that the action

will not have a significant effect on the environment and that a Negative Declaration is hereby issued, based upon the following reasons;

BE IT FURTHER RESOLVED, that the attached Negative Declaration be filed with the Town Clerk, and that the Supervisor is authorized to sign the EAF and prepare the appropriate notices and filings in accordance with the SEQR regulations.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on June 19, 2017, the results of which were as follows:

Councilperson Witt	Aye
2Supervisor Savage	Absent
Councilwomen Pautler	Aye

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT; WHEREAS, the Alden Town Board is in planning phases of the replacing and funding the Alden Sewer District No. 2 Wastewater Treatment Plant with a sand filter system to serve the existing Sewer District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board hereby hires Neill & Strong, PLLC for legal services in connection with a Grant Application; assistance with financing; assistance with writing a Request for Proposals for the design and construction, and for assistance in drafting bid documents for this project at the hourly rate of \$175.00, plus actual disbursements; and
2. This resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

WHEREAS, the Alden Town Board is in planning phases of the replacing and funding the Alden Sewer District No. 2 Wastewater Treatment Plant with a sand filter system to serve the existing Sewer District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

3. The Town Board hereby Hawkins Delafield & Wood, LLP as Bond Counsel for this project, for an amount not to exceed \$15,000.00, with an additional charge of \$1,500.00 if any short term grid notes are required; and
4. This resolution shall take effect immediately.

The above Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt
Nays 0

3THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Alden Town Board has received a request from the Highway Superintendent to rent equipment and operators (a 3 to 5 ton roller for two days and a paver with two operators for one day) to re-pave the entrance to the Town Park, the estimated cost of this project is less than \$10,000.00 but greater than \$2,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden state that the Town must prepare a request for proposal and then obtain written quotes from at least three (3) vendors;

WHEREAS, the Highway Department has obtained quotes from the following three (3) vendors:

The highest quote is from Zoladz for a total of \$4,920.00

The second highest quote is from Northeast for a total of \$4,500.00
and

The lowest quote is from **Capozzi Paving** for a total of \$2,700.00;

WHEREAS, **Capozzi Paving** is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review and consideration of the Supervisor’s request finds his request to re-pave the entrance to the Town Park in the public interest.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the rental from **Capozzi Paving** for a total cost of \$2,700.00.
2. **Capozzi Paving** must pay its employees prevailing wage rates and comply with all State and Federal Department of Labor requirements; must file proof of Worker’s Compensation Insurance and liability insurance naming the Town of Alden as an additional insured, with the Town Clerk prior to starting any work;
3. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this project; and
4. This resolution shall take effect immediately.

On the Question: Change one paragraph to read the entrance to the Town Park not walking path. So noted and changed.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

4THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Building Inspector/Code Enforcement Officer has informed the Alden Town Board that several properties in the Town of Alden are not being properly maintained by the property owners;

WHEREAS, Chapter 18 of the Alden Town Code allows the Alden Town Board to adopt a resolution requiring a property owner to cut, trim or remove brush, grass, rubbish or weeds on their lands; and

WHEREAS, the following persons/entities are the owners of parcels of land (said parcels identified below) situated in the Town of Alden that are in need of lawn maintenance:

Timothy R. Stewart owner of 124 Three Rod Rd. (Lis pendis filed by OneWest Bank);
Estate of Gregory R. Slojkowski owner of 12328 Genesee Street (Lis pendis filed by Ocwen Loan Servicing LLC);
James J. And Betty Ann Schmidt, owner of 3528 Townline Road;
Estate of Eve Fertig, owner of 11380 Cary Road; and
Linda U. Riley, owner of 11007 Broadway

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. Timothy R. Stewart and One West Bank owners of 124 Three Rod Rd. (SBL # 130.01-1-5);

Estate of Gregory R. Slojkowski and Ocwen Loan Servicing LLC owners of 12328 Genesee Street (SBL # 85.00-6-10.1);

James J. and Betty Ann Schmidt, owner of 3528 Townline Road (SBL # 84.04-1-3);

Estate of Eve Fertig, owner of 11380 Cary Road (SBL # 118.00-4-27.2); and
Linda U. Riley, owner of 11007 Broadway (SBL # 117.12-3-1).

are hereby ordered by the Alden Town Board to cut, trim and remove the brush, grass, rubbish and weeds on their above listed properties no later than July 3, 2017;

2. Should these property owners fail to cut, trim and remove the brush, grass, rubbish and weeds on their respective above listed properties no later than July 3, 2017, the Town of Alden will authorize the lawn maintenance to be performed by a third party and paid for from the general fund of the Town of Alden;

3. The Town Board shall then cause the general fund to be reimbursed by the respective property owners by levying the costs incurred by the Town onto the respective landowners County/Town Tax Bill for Tax Year 2018;

4. The Town Attorney shall cause a Notice of the Resolution to be mailed to each of the landowners listed above by regular mail at their last known address, as required by Section 18-4 of the Alden Town Code; and

5. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

DEPUTY SUPERVISOR ROGERS POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WERE ADDED:

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN WITT, SECONDED BY COUNCILWOMAN PAUTLER TO WIT;

Correction to Resolution dated June 5, 2017

WHEREAS the Alden Town Board passed a Resolution on June 5, 2017 pertaining to a grant application to be filed through the New York State Clean Water Infrastructure Act of 2017; and

WHEREAS, this resolution is intended to supplement and correct said resolution, and

WHEREAS, the New York State Clean Water Infrastructure Act 2017 provides the New York State Environmental Facilities Corporation authority to provide grants to assist municipalities with funds to improve water quality infrastructure projects, and

WHEREAS, the Town of Alden seeks grant funding through the New York State Water Infrastructure Improvement Act (WIIA), grant program and no interest loan funds through the State Revolving Loan Fund for necessary improvements to Sewer District Number 2, NOW, THEREFORE. BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Environmental Facilities Corporation for the purpose of securing these funds, and BE IT FURTHER

RESOLVED, that the Supervisor hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON JUNE 19, 2017 AND

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

5THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Town of Alden is in need of the services of a municipal financial advisor to assist the Town in the replacing and funding the Alden Sewer District No. 2 Wastewater Treatment Plant with a sand filter system to serve the existing Sewer District;

WHEREAS, municipal financial advising is a professional, unique and specialized skill that will benefit the residents of the Town of Alden; and

WHEREAS, the Alden Town Board given its past work relationship with Municipal Solutions, Inc., would like to contract with Municipal Solutions, Inc. for municipal financial advisement services for the Town of Alden for the above project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the attached Contract with Municipal Solutions, Inc. for municipal financial advisement services for the Town of Alden for the above project at a cost not to exceed \$17,000.00;
2. The Supervisor of the Town of Alden is hereby authorized to execute all necessary paperwork to effectuate the Contract; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

6THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER,
WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN WITT TO WIT;

WHEREAS, the Town of Alden is in need of the services of an Engineer to assist the Town in the replacing and funding the Alden Sewer District No. 2 Wastewater Treatment Plant with a sand filter system to serve the existing Sewer District;

WHEREAS, Engineering services are a professional, unique and specialized skill that will benefit the residents of the Town of Alden; and

WHEREAS, the Alden Town Board given its past work relationship with Metzger Civil Engineering would like to contract with Metzger Civil Engineering for engineering services for the Town of Alden for the above project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the attached Contract with Metzger Civil Engineering for Engineering services for the Town of Alden for the above project at a cost not to exceed \$86,300.00;
2. The Supervisor or Deputy Supervisor of the Town of Alden is hereby authorized to execute all necessary paperwork to effectuate the Contract; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a vote at a regular meeting on June 19, 2017, and

ADOPTED.

Ayes 2 Pautler & Witt

Nays 0

UNFINISHED & TABLED BUSINESS

There was no unfinished and tabled business.

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Witt:

A resident of Baxter Ave. asked that if in the future when they have fireworks if they could consider a new location as the debris from the fireworks land on her house.

Engineer Metzger:

Mike continues to work on the grant application for S.D. #2.

Attorney Strong:

Jennifer continues to work on the grant application for S.D. #2 as well.

Councilwoman Pautler:

Colleen thanked Deputy Supervisor Rogers for running the meeting and said she did a great job.

Highway Supt. Wagner:

The paving for the entrance to the Town Park will be postponed until August as his crew is busy with drainage and scheduled vacations.

NOTICE OF MEETINGS

NEXT WORK SESSION:
NEXT TOWN BOARD MTG.:

June 26, 2017 @ 7:00 P.M.
July 3, 2017 @ 7:00 P.M.

MEMORIAL REMEMBRANCE

Deputy Supervisor Rogers asked all to stand in a Moment of Silence in Memory of Donald McPhee Sr.

ADJOURNMENT

At 7:49 P.M. Deputy Supervisor Rogers adjourned the Meeting.

Debra A. Crist
Alden Town Clerk